

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SHAWNDRA STAR BOODE,

No. C-13-2438 EMC (pr)

Petitioner,

v.

**ORDER EXTENDING DEADLINES
AND DENYING REQUEST FOR
COUNSEL**

D. K. JOHNSON, Warden,

Respondent.

Respondent's request for an extension of time to respond to the petition for writ of habeas corpus is **GRANTED**. (Docket # 9.) The Court now sets the following new briefing schedule on the petition: On or before **December 20, 2013**, Respondent must file and serve on Petitioner his response. On or before **January 31, 2014**, Petitioner must file and serve on Respondent's counsel her traverse.

Petitioner has requested that counsel be appointed to represent her in this action. A district court may appoint counsel to represent a habeas petitioner whenever "the court determines that the interests of justice so require" and such person is financially unable to obtain representation. 18 U.S.C. § 3006A(a)(2)(B). The decision to appoint counsel is within the discretion of the district court. *See Chaney v. Lewis*, 801 F.2d 1191, 1196 (9th Cir. 1986). Appointment is mandatory only when the circumstances of a particular case indicate that appointed counsel is necessary to prevent

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1 due process violations. *See id.* The interests of justice do not require appointment of counsel at this
2 time. The request for appointment of counsel is **DENIED**. (Docket # 7.)

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4 IT IS SO ORDERED.

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6 Dated: November 22, 2013

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8 EDWARD M. CHEN
9 United States District Judge
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